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NEVADA NUCLEAR WASTE TASK FORCE, INCORPORATED

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July 3, 2001

Lake Barrett, Acting Director
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
1000 Independence Ave. S.W.
Washington, DC 20585

Re: Supplement to the Draft Environmental Impact Statement (SDEIS) for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada (DOE/EIS-0250-D-S)

Dear Mr. Barrett:

1... Last month the Nevada Nuclear Waste Task Force became aware of the Department of Energy's late mailing of copies of the Supplement to the Draft EIS to a select list of individuals and organizations who had requested copies of the document for the purpose of providing public comment. This mailing, dated June 22, 2001, told recipients that the deadline for their comments was August 13, 2001. Because of the new deadline a flurry of confusion was created resulting in telephone calls, e-mails, and faxes to the Task Force and other organizations where people turn for assistance and information regarding public involvement in the Yucca Mountain decision making process. In addition to contacting our offices, people also called the DOE's Yucca Mountain Information Office and in at least two instances they were told that the deadline for comment had been extended to August 13, 2001 for everyone.

The originally announced forty-five day comment period, ending June 25, during the summer vacation period was extremely restrictive and made the submission of comments very difficult or impossible for many people. For that reason, individuals and organizations repeatedly requested an extension of time during the three SDEIS hearings. Following the hearings, DOE announced a very short extension to July 6—about two weeks. On Wednesday, June 27 I had a conversation with you regarding this matter. At that time I told you about the confusion surrounding this public comment period. I also informed you that the Task Force and other organizations had obtained extra copies of the SDEIS and had been distributing them to members of the public who requested them.

This office has received a copy of the Federal Register Notice dated June 29, 2001, submitted by the Department of Energy, announcing the Action: "Notice of comment period for

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1 cont. specific individuals. With this "action" the Department has now named a third deadline date, for a list of "specific individuals," whose identity is known only by some officials at the Department of Energy. Some of the "specific individuals" are organizations. Is it your decision that the new deadline apply or extend to the members or constituencies of those organizations? Obviously, the person at the Yucca Mountain Information Office did not know who the "individuals" were when callers were told that the deadline for all comments had been extended to August 13.

For well over a decade the Nevada Nuclear Waste Task Force has worked to encourage the DOE and its Yucca Mountain Project Office to provide a reasonable and meaningful public participation process. The result of all of these efforts seems to be that DOE is increasingly unwilling to provide opportunities to the public, even to the point of ignoring federal regulations explicitly designed to require that the public have access, and the ability to influence the decisions making process that directly affects them.

Your action regarding the Supplement to the DEIS must be revised. There must be a new, reasonable deadline set, and ample opportunity afforded to all interested and concerned organizations and members of the public to provide comment on this uniquely important project.

Sincerely,


Judy Treichel
Executive Director

cc: Ms. Carol M. Borgstrom, Director
Office of NEPA Policy and Compliance